

## **IC 13-18-20.5**

### **Chapter 20.5. Federal Safe Drinking Water Act**

#### **IC 13-18-20.5-1**

##### **Purpose**

Sec. 1. The provisions in this chapter are to defray the costs of administering activities of the federal Safe Drinking Water Act.

*As added by P.L.224-2003, SEC.134.*

#### **IC 13-18-20.5-2**

##### **Annual operation fees; schedule of fees**

Sec. 2. For public water systems, the annual operation fees are as follows:

(1) For a community water system with more than four hundred (400) service connections, ninety-five cents (\$0.95) per service connection.

(2) For a community water system with four hundred (400) or fewer service connections, the annual operation fee is three hundred fifty dollars (\$350).

(3) For a nontransient noncommunity water system, the annual operation fees are as follows:

Number served	Fee
25 - 100	\$150
101 - 250	\$180
251 - 500	\$240
501 - 1,000	\$300
1,001 - 3,300	\$450
3,301 - 5,000	\$600
5,001 - 10,000	\$1,500
more than 10,000	\$3,000

(4) For a transient noncommunity water system, the annual operation fees are as follows:

Type of transient noncommunity water system	Fee
Groundwater	\$100
Purchase	\$ 50
Surface	\$200

*As added by P.L.224-2003, SEC.134.*

#### **IC 13-18-20.5-3**

##### **Calendar year; liability; assessment schedule**

Sec. 3. (a) Public water system annual operation fees begin accruing January 1 of each year.

(b) This subsection applies only to fees that are due in 2004. The department shall assess the public water system annual operation fees not earlier than July 1. Notwithstanding section 2 of this chapter, the annual fee assessed under this subsection is equal to one-third (1/3) of the fee required under section 2 of this chapter.

(c) This subsection applies only to fees that are due in 2005. The department shall assess the public water system annual operation

fees not earlier than July 1. Notwithstanding section 2 of this chapter, the annual fee assessed under this subsection is equal to two-thirds (2/3) of the fee required under section 2 of this chapter.

(d) Beginning in 2006 and in each year thereafter, the department shall assess public water system annual operation fees not later than January 15 of each year.

(e) A person must remit a public water system annual operation fee or an installment established under IC 13-16-2 to the department not more than thirty (30) days after the date the fee is assessed or on the date the installment is due.

*As added by P.L.224-2003, SEC.134.*

#### **IC 13-18-20.5-4**

##### **Delinquent payment; penalties**

Sec. 4. (a) In addition to the penalties prescribed under:

- (1) IC 13-30-4-1;
- (2) IC 13-30-4-2; and
- (3) IC 13-30-5-1;

if a person does not remit a public water system annual operation fee or installment of the fee under IC 13-16-2 to the department not later than sixty (60) days after the date the fee is assessed or not later than thirty (30) days after the date the installment is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the fee or ten percent (10%) of the installment, whichever applies.

(b) A delinquency charge assessed under this section is due and payable not later than sixty (60) days after the date a fee is assessed or not later than thirty (30) days after the date an installment of the fee is due under IC 13-16-2.

*As added by P.L.224-2003, SEC.134.*

#### **IC 13-18-20.5-5**

##### **Delinquent payment; enforcement action; notice**

Sec. 5. If a person does not remit a public water system annual operation fee or an installment of the fee under IC 13-16-2 to the department not later than ninety (90) days after the date the fee is assessed or not later than sixty (60) days after the date the installment is due, the department may pursue enforcement action under IC 13-30. However, before the department may pursue enforcement action, the department must:

- (1) not earlier than sixty (60) days after the date the fee is assessed or not earlier than thirty (30) days after the installment is due; and
- (2) not later than thirty (30) days before the department pursues enforcement action;

notify the person by United States mail of the fees and delinquency charges due. The notice must state that the department may pursue enforcement action for nonpayment after thirty (30) days from the date of the notice.

*As added by P.L.224-2003, SEC.134.*

**IC 13-18-20.5-6**

**Deposit of fees and delinquent charge**

Sec. 6. The fees and delinquency charges collected under this chapter:

- (1) are payable to the department; and
- (2) shall be deposited in the environmental management permit operation fund established by IC 13-15-11-1.

*As added by P.L.224-2003, SEC.134.*